

ATTACHMENT E

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 23-80101-CR-CANNON(s)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**DONALD J. TRUMP,
WALTINE NAUTA, and
CARLOS DE OLIVEIRA,**

Defendants.

GOVERNMENT NOTICE OF EXPERT TESTIMONY OF JOHNATHON HOYT

The Government hereby files under Federal Rule of Criminal Procedure 16(a)(1)(G), Local Rule 88.10(o)(3), and this Court's Order (ECF No. 215) its notice of intent to use the following expert testimony in its case-in-chief at trial.

I. Johnathon Hoyt, FBI Special Agent, certified member of the Cellular Analysis Survey Team

a. Training and Qualifications

Special Agent Hoyt is a certified member of the Federal Bureau of Investigation ("FBI") Cellular Analysis Survey Team ("CAST"), a specialized unit in the FBI that provides technical expertise, case consultation, and instruction in the analysis of historical call detail records, cell site location information, and other forms of geolocation information. Special Agent Hoyt has worked for the FBI since 2018 and served in various roles, including on a Joint Terrorism Task Force, a violent crimes task force, and, since September 2022, as a member of the CAST team.

Special Agent Hoyt has received professional training in cellular analysis, including over 230 hours of historical cell site analysis with 40 hours of instruction from the Florida Institute of Technology on the engineering of cellular networks, radio frequency technology and propagation, cellular network architecture, cellular network technologies, and cellular network measurements. Special Agent Hoyt has also served as an instructor in historical cell site analysis.

A copy of Special Agent Hoyt's curriculum vitae, which summarizes his background, education, and experience, has been provided to the defense. *See* USA-01286127 – USA-01286129.

b. Publications and Prior Testimony as an Expert

In the previous 10 years, Special Agent Hoyt has not authored any publications. He has testified as a CAST expert in three criminal trials within the past four years: *Loudoun County CW v. Furqan Syed*, Case No. CR00037455-00 (Loudoun County, Virginia Circuit Court); *United States v. Lewkus Turner*, Case No. 2020-CF1-009637 (D.C. Superior Court); and *United States v. Jalen Browne*, Case No. 2021-CF1-007103 (D.C. Superior Court).

c. Reports Provided under Federal Rule of Criminal Procedure 16(a)(1)(F)

Special Agent Hoyt created three reports that detail his historical cell site analysis of the call detail records for two cell phones (phone numbers ending in 6091 and 8611, respectively), which the Government's investigation shows belonged to defendant Waltine Nauta (hereinafter, "Nauta's cell phones") and one cell phone (phone number ending in 8426), which the Government's investigation shows belonged to defendant Carlos De Oliveira (hereinafter, "De Oliveira's cell phone"). All three reports were produced to the defense in discovery. *See* USA-00947182 – USA-00947214; USA-01286057 – USA-01286087; and USA-01286088 – USA-01286123.

The reports provide Special Agent Hoyt's methodology, as well as the bases for his opinions, including explanations of cell towers, sectors, orientation, and call detail records. The reports further contain visual depictions of cell-site activity locations overlayed on maps for Nauta's cell phones on May 25-June 3, 2022; June 25-28, 2022; July 10-12, 2022; and July 22-23, 2022; and for De Oliveira's cell phone on June 25-27, 2022; July 10-12, 2022; and July 22-23, 2022.

d. Complete Statement of Testimony/Opinion and Basis

The Government anticipates that Special Agent Hoyt will testify that, using cell tower latitude/longitude coordinates obtained from Nauta's and De Oliveira's cell phone service providers pursuant to court-authorized search warrants,¹ he mapped cell site data into mapping software that plotted cell tower location and the cell sector, including the general direction of the radio frequency signal, that serviced the cell phone activity.

Special Agent Hoyt is also expected to testify about his analysis of historical cell site and location data for Nauta's and De Oliveira's phones contained in his reports and the data produced to the defense. For example, Special Agent Hoyt will explain that location data on Saturday, June 25, 2022, shows Nauta's cell phone ending in 6091 moving from the area of Bedminster, New Jersey, to La Guardia Airport in New York, Logan Airport in Boston, and finally Palm Beach International Airport in West Palm Beach. At 10:16 a.m. that day, Nauta's cell phone ending in 6091 connected with the cell tower at Logan Airport, when a call was made to De Oliveira's cell number ending in 8426, which connected with the cell tower closest to Mar-a-Lago. At 5:40 p.m., the cell tower closest to Mar-a-Lago provided network coverage for a call made from Nauta's cell

¹ The latitude/longitude data obtained pursuant to the search warrant for Nauta's cell site location was provided in discovery at USA-00788381 – USA-00788430. The latitude/longitude data for De Oliveira's phone was provided in discovery at USA-01115989 – USA-01116024.

phone ending in 6091 to De Oliveira's cell phone, which also connected with the cell tower closest to Mar-a-Lago.

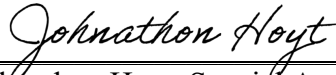
The location data will also show Nauta's cell phone locations in South Florida until it returned to the area of Bedminster, New Jersey, on June 28, 2022. For example, on Monday, June 27, 2022, at 10:15 a.m., De Oliveira's cell phone, connecting with the cell tower closest to Mar-a-Lago, made a call to Nauta's cell phone ending in 6091, which connected with the cell tower located near Nauta's residence in West Palm Beach. At 1:29 p.m., when a call was made from Nauta's cell phone ending in 6091 to De Oliveira's phone, and again at 1:46 p.m. when a call was made from De Oliveira's cell phone to Nauta's cell phone ending in 6091, both phones connected with the cell tower closest to Mar-a-Lago.

Special Agent Hoyt will also testify about how cellular networks operate and factors that affect which tower or sector a cellular telephone will use. Special Agent Hoyt will explain how location analysis is a reliable means to approximate a cellular telephone's location when it connects to a particular cellular tower.

e. Approval of Disclosure

In accordance with Federal Rule of Criminal Procedure 16(a)(1)(G)(v), I have reviewed this disclosure and approve of its contents.

Date: January 10, 2024



Johnathon Hoyt, Special Agent
Cellular Analysis Survey Team
FBI